

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NEWPORT NEWS DIVISION**

JAMESINA CRAWFORD, *et al.*,

Plaintiffs,

vs.

NEWPORT NEWS
INDUSTRIAL CORPORATION

Defendant.

Case No. 4:14-cv-00130-RCY-LRL

PLAINTIFFS' PROPOSED VERDICT FORM

Pursuant to the Court's Rule 16(b) Scheduling Order, Plaintiffs submit the following proposed Verdict Form.

Respectfully submitted,

By: /s/ James H. Shoemaker, Jr.
Local Counsel

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INDUSTRIAL CORPORATION

Defendant.

Case No. 4:14-cv-00130-RCY-LRL

We, the jury in the above-entitled case, render the following verdicts:

AS TO PLAINTIFF MARK BARNETT

Count I – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Barnett experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE - 3 - AS TO PLAINTIFF IAN BLOW

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Barnett experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE - 3 - AS TO PLAINTIFF IAN BLOW

3. What amount of emotional distress damages is Plaintiff Barnett entitled to recover for his hostile work environment claim?

\$_____

4. Is Plaintiff Barnett entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Barnett’s hostile work environment claim:

\$_____

MOVE ON TO PAGE - 3 - AS TO PLAINTIFF IAN BLOW

AS TO PLAINTIFF IAN BLOW

Count I – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Blow experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE - 4 - AS TO PLAINTIFF RICHARD BOSTIC

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Blow experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE - 4 - AS TO PLAINTIFF RICHARD BOSTIC

3. What amount of emotional distress damages is Plaintiff Blow entitled to recover for his hostile work environment claim?

\$_____

4. Is Plaintiff Blow entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Blow’s hostile work environment claim:

\$_____

MOVE ON TO PAGE - 4 - AS TO PLAINTIFF RICHARD BOSTIC

AS TO PLAINTIFF RICHARD BOSTIC

Count I – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Bostic experienced a hostile work environment because of his race?

Yes _____ No _____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE - 7 - AS TO PLAINTIFF ERNEST CHESSON

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Bostic experienced?

Yes _____ No _____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3-6;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE - 7 - AS TO PLAINTIFF ERNEST CHESSON

3. What amount of emotional distress damages is Plaintiff Bostic entitled to recover for his hostile work environment claim?

\$ _____

4. Is Plaintiff Bostic entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes _____ No _____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Bostic’s hostile work environment claim:

\$ _____

AS TO PLAINTIFF RICHARD BOSTIC (CONT.)

Count 2 — Constructive Discharge

6. Do you find by a preponderance of the evidence that Plaintiff Bostic quit because of a hostile work environment that a reasonable person in his position would have felt was intolerable?

Yes _____ No _____

IF YOU ANSWERED “YES” TO QUESTION 6, MOVE ON TO QUESTIONS 7-11;

IF YOU ANSWERS “NO” TO QUESTION 6, MOVE ON TO PAGE - 7 - AS TO PLAINTIFF ERNEST CHESSON

7. What amount of emotional distress damages is Plaintiff Bostic entitled to recover for his constructive discharge claim?

\$ _____

8. What amount of damages is Plaintiff Bostic entitled to recover for past lost earnings?

\$ _____

9. What amount of damages is Plaintiff Bostic entitled to recover for future lost earnings?¹

\$ _____

MOVE ON TO QUESTION 10

¹ This, and the following questions in the Verdict Sheet concerning future lost earnings, are provided in the event that the Court decides to obtain an advisory verdict from the jury. Plaintiffs recognize that the amount of front pay is an equitable issue for the Court. *See Cline v. Wal-Mart Stores*, 144 F.3d 294, 307 (4th Cir. 1998).

AS TO PLAINTIFF RICHARD BOSTIC (CONT.)

Count 2 — Constructive Discharge (cont.)

10. Is Plaintiff Bostic entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for constructively discharging him?

Yes_____

No_____

11. If the answer to Question 10 is “Yes,” state the amount of money that is awarded in punitive damages for the constructive discharge claim:

\$_____

MOVE ON TO PAGE - 7 - AS TO PLAINTIFF ERNEST CHESSON

AS TO PLAINTIFF ERNEST CHESSON

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Chesson experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO QUESTION 12

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Chesson experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3-6;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO QUESTION 12

3. What amount of emotional distress damages is Plaintiff Chesson entitled to recover for his hostile work environment claim:

\$_____

4. Is Plaintiff Chesson entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Chesson’s hostile work environment claim:

\$_____

AS TO PLAINTIFF ERNEST CHESSON (CONT.)

Count 2 — Constructive Discharge

6. Do you find by a preponderance of the evidence that Plaintiff Chesson quit because of a hostile work environment that a reasonable person in his position would have felt was intolerable?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 6, MOVE ON TO QUESTIONS 7-11;

IF YOU ANSWERS “NO” TO QUESTION 6, MOVE ON TO QUESTION 12

7. What amount of emotional distress damages is Plaintiff Chesson entitled to recover for his constructive discharge claim:

\$_____

8. What amount of damages is Plaintiff Chesson entitled to recover for past lost earnings:

\$_____

9. What amount of damages is Plaintiff Chesson entitled to recover for future lost earnings:

\$_____

10. Is Plaintiff Chesson entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for constructively discharging him?

Yes_____ No_____

11. If the answer to Question 10 is “Yes,” state the amount of money that is awarded in punitive damages:

\$_____

MOVE ON TO QUESTION 12

AS TO PLAINTIFF ERNEST CHESSON (CONT.)

Count 3 — Retaliation

12. Do you find by a preponderance of the evidence that Defendant Newport News Industrial Corporation retaliated against Plaintiff Chesson for engaging in protected activity?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 12, ANSWER QUESTIONS 13-15;

IF YOU ANSWERED “NO” TO QUESTION 12, MOVE ON TO PAGE - 10 - AS TO PLAINTIFF JAMESINA CRAWFORD

13. What amount of emotional distress damages is Plaintiff Chesson entitled to recover for his retaliation claim:

\$_____

14. Is Plaintiff Chesson entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for retaliation?

Yes_____ No_____

15. If the answer to Question 14 is “Yes,” state the amount of money that is awarded in punitive damages:

\$_____

MOVE ON TO PAGE - 10 - AS TO PLAINTIFF JAMESINA CRAWFORD

AS TO PLAINTIFF JAMESINA CRAWFORD

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Crawford experienced a hostile work environment because of her race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE - 11 - AS TO PLAINTIFF JONATHON DANTES

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Crawford experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE - 11 - AS TO PLAINTIFF JONATHON DANTES

3. What amount of emotional distress damages is Plaintiff Crawford entitled to recover for her hostile work environment claim?

\$_____

4. Is Plaintiff Crawford entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Crawford’s hostile work environment claim:

\$_____

MOVE ON TO PAGE - 11 - AS TO PLAINTIFF JONATHON DANTES

AS TO PLAINTIFF JONATHON DANTES

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Dantes experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE – 12 – AS TO PLAINTIFF FRANTZ EDOUARD

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Dantes experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE – 12 – AS TO PLAINTIFF FRANTZ EDOUARD

3. What amount of emotional distress damages is Plaintiff Dantes entitled to recover for his hostile work environment claim?

\$_____

4. Is Plaintiff Dantes entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Dantes’ hostile work environment claim:

\$_____

MOVE ON TO PAGE – 12 – AS TO PLAINTIFF FRANTZ EDOUARD

AS TO PLAINTIFF FRANTZ EDOUARD

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Edouard experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE - 13 - AS TO PLAINTIFF STEVEN GORDON

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Edouard experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE - 13 - AS TO PLAINTIFF STEVEN GORDON

3. What amount of emotional distress damages is Plaintiff Edouard entitled to recover for his hostile work environment claim?

\$_____

4. Is Plaintiff Edouard entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Edouard’s hostile work environment claim:

\$_____

MOVE ON TO PAGE - 13 - AS TO PLAINTIFF STEVEN GORDON

AS TO PLAINTIFF STEVEN GORDON

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Gordon experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE - 14 - QUESTION 6 AS TO PLAINTIFF STEVEN GORDON

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Gordon experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE - 14 - QUESTION 6 AS TO PLAINTIFF STEVEN GORDON

3. What amount of emotional distress damages is Plaintiff Gordon entitled to recover for his hostile work environment claim?

\$_____

4. Is Plaintiff Gordon entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Gordon’s hostile work environment claim:

\$_____

AS TO PLAINTIFF STEVE GORDON (CONT.)

Count 4 — Discriminatory Pay

6. Do you find by a preponderance of the evidence that Defendant Newport News Industrial Corporation paid Plaintiff Gordon less than one or more Caucasian workers, for the same or similar work, because of Plaintiff Gordon's race?

Yes_____ No_____

IF YOU ANSWERED "YES" TO QUESTION 6, ANSWER QUESTIONS 7 - 11;

IF YOU ANSWERED "NO" TO QUESTION 6, MOVE ON TO PAGE - 15 - QUESTION 12 AS TO PLAINTIFF STEVEN GORDON

7. What amount of emotional distress damages is Plaintiff Gordon entitled to recover for his discriminatory pay claim:

\$_____

8. What amount of damages is Plaintiff Gordon entitled to recover for past lost earnings:

\$_____

9. What amount of damages is Plaintiff Gordon entitled to recover for future lost earnings:

\$_____

10. Is Plaintiff Gordon entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for his discriminatory pay claim?

Yes_____ No_____

11. If the answer to Question 10 is "Yes," state the amount of money that is awarded in punitive damages:

\$_____

AS TO PLAINTIFF STEVE GORDON (CONT.)

Count 5 — Failure to Promote

12. Do you find that Defendant Newport News Industrial Corporation failed to promote Plaintiff Gordon to Make Up Supervisor because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 12, ANSWER QUESTIONS 13-16;

IF YOU ANSWERED “NO” TO QUESTION 12, MOVE ON TO PAGE - 16 - AS TO PLAINTIFF REGGIE HOLLIMAN

13. What amount of emotional distress damages is Plaintiff Gordon entitled to recover for his failure to promote claim:

\$_____

14. What amount of damages is Plaintiff Gordon entitled to recover for past lost earnings:

\$_____

15. What amount of damages is Plaintiff Gordon entitled to recover for future lost earnings:

\$_____

16. Is Plaintiff Gordon entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for his failure to promote claim?

Yes_____ No_____

17. If the answer to Question 16 is “Yes,” state the amount of money that is awarded in punitive damages:

\$_____

MOVE ON TO PAGE - 16 - AS TO PLAINTIFF REGGIE HOLLIMAN

AS TO PLAINTIFF REGGIE HOLLIMAN

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Holliman experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE – 17 – AS TO PLAINTIFF LAMAR HOLLOMAN

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Holliman experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE – 17 – AS TO PLAINTIFF LAMAR HOLLOMAN

3. What amount of emotional distress damages is Plaintiff Holliman entitled to recover for his hostile work environment claim:

\$_____

4. Is Plaintiff Holliman entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Holliman’s hostile work environment claim:

\$_____

MOVE ON TO PAGE – 17 – AS TO PLAINTIFF LAMAR HOLLOMAN

AS TO PLAINTIFF LAMAR HOLLOMAN

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Holloman experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE - 19 - AS TO PLAINTIFF ALFRED JOYNER

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Holloman experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3-6;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE - 19 - AS TO PLAINTIFF ALFRED JOYNER

3. What amount of emotional distress damages is Plaintiff Holloman entitled to recover for his hostile work environment claim?

\$_____

4. Is Plaintiff Holloman entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Holloman’s hostile work environment claim:

\$_____

AS TO PLAINTIFF LAMAR HOLLOMAN (CONT.)

Count 2 — Constructive Discharge

6. Do you find by a preponderance of the evidence that Plaintiff Holloman quit because of a hostile work environment that a reasonable person in his position would have felt was intolerable?

Yes _____ No _____

IF YOU ANSWERED “YES” TO QUESTION 6, MOVE ON TO QUESTIONS 7-11 ;

IF YOU ANSWERS “NO” TO QUESTION 6, MOVE ON TO PAGE - 19 - AS TO PLAINTIFF ALFRED JOYNER

7. What amount of emotional distress damages is Plaintiff Holloman entitled to recover for his constructive discharge claim:

\$ _____

8. What amount of damages is Plaintiff Holloman entitled to recover for past lost earnings:

\$ _____

9. What amount of damages is Plaintiff Holloman entitled to recover for future lost earnings:

\$ _____

10. Is Plaintiff Holloman entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for constructively discharging him?

Yes _____ No _____

11. If the answer to Question 10 is “Yes,” state the amount of money that is awarded in punitive damages:

\$ _____

MOVE ON TO PAGE - 19 - AS TO PLAINTIFF ALFRED JOYNER

AS TO PLAINTIFF ALFRED JOYNER

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Joyner experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE – 20 – AS TO PLAINTIFF WILLIE NICHOLS

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Joyner experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE – 20 – AS TO PLAINTIFF WILLIE NICHOLS

3. What amount of emotional distress damages is Plaintiff Joyner entitled to recover for his hostile work environment claim:

\$_____

4. Is Plaintiff Joyner entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Joyner’s hostile work environment claim:

\$_____

MOVE ON TO PAGE – 20 – AS TO PLAINTIFF WILLIE NICHOLS

AS TO PLAINTIFF WILLIE NICHOLS

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Nichols experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE – 21 – AS TO PLAINTIFF CHRIS PAYTON

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Nichols experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE – 21 – AS TO PLAINTIFF CHRIS PAYTON

3. What amount of emotional distress damages is Plaintiff Nichols entitled to recover for his hostile work environment claim:

\$_____

4. Is Plaintiff Nichols entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Nichols’ hostile work environment claim:

\$_____

MOVE ON TO PAGE – 21 – AS TO PLAINTIFF CHRIS PAYTON

AS TO PLAINTIFF CHRIS PAYTON

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Payton experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE – 22 – AS TO PLAINTIFF THEO PIERCE

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Payton experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE – 22 – AS TO PLAINTIFF THEO PIERCE

3. What amount of emotional distress damages is Plaintiff Payton entitled to recover for his hostile work environment claim:

\$_____

4. Is Plaintiff Payton entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Payton’s hostile work environment claim:

\$_____

MOVE ON TO PAGE – 22 – AS TO PLAINTIFF THEO PIERCE

AS TO PLAINTIFF THEO PIERCE

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Pierce experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE –23– AS TO PLAINTIFF ROBERT ROBINSON

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Pierce experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE –23– AS TO PLAINTIFF ROBERT ROBINSON

3. What amount of emotional distress damages is Plaintiff Pierce entitled to recover for his hostile work environment claim:

\$_____

4. Is Plaintiff Pierce entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Pierce’s hostile work environment claim:

\$_____

MOVE ON TO PAGE –23– AS TO PLAINTIFF ROBERT ROBINSON

AS TO PLAINTIFF ROBERT ROBINSON

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Robinson experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE -25- AS TO PLAINTIFF DENNIS SMITH

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Robinson experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3-6;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE -25- AS TO PLAINTIFF DENNIS SMITH

3. What amount of emotional distress damages is Plaintiff Robinson entitled to recover for his hostile work environment claim?

\$_____

4. Is Plaintiff Robinson entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Robinson’s hostile work environment claim:

\$_____

AS TO PLAINTIFF ROBERT ROBINSON (CONT.)

Count 2 — Constructive Discharge

6. Do you find by a preponderance of the evidence that Plaintiff Robinson quit because of a hostile work environment that a reasonable person in his position would have felt was intolerable?

Yes _____ No _____

IF YOU ANSWERED “YES” TO QUESTION 6, MOVE ON TO QUESTION 7;

IF YOU ANSWERS “NO” TO QUESTION 6, MOVE ON TO PAGE -25- AS TO PLAINTIFF DENNIS SMITH

7. What amount of emotional distress damages is Plaintiff Robinson entitled to recover for his constructive discharge claim:

\$ _____

8. What amount of damages is Plaintiff Robinson entitled to recover for past lost earnings:

\$ _____

9. What amount of damages is Plaintiff Robinson entitled to recover for future lost earnings?

\$ _____

10. Is Plaintiff Robinson entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for constructively discharging him?

Yes _____ No _____

11. If the answer to Question 10 is “Yes,” state the amount of money that is awarded in punitive damages:

\$ _____

MOVE ON TO PAGE -25- AS TO PLAINTIFF DENNIS SMITH

AS TO PLAINTIFF DENNIS SMITH

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Smith experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE -26- AS TO PLAINTIFF RON STEWART

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Smith experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE -26- AS TO PLAINTIFF RON STEWART

3. What amount of emotional distress damages is Plaintiff Smith entitled to recover for his hostile work environment claim?

\$_____

4. Is Plaintiff Smith entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Smith’s hostile work environment claim:

\$_____

MOVE ON TO PAGE -26- AS TO PLAINTIFF RON STEWART

AS TO PLAINTIFF RON STEWART

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Stewart experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE -27- AS TO PLAINTIFF DAVID SWAIN

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Stewart experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE -27- AS TO PLAINTIFF DAVID SWAIN

3. What amount of emotional distress damages is Plaintiff Stewart entitled to recover for his hostile work environment claim?

\$_____

4. Is Plaintiff Stewart entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Stewart’s hostile work environment claim:

\$_____

MOVE ON TO PAGE -27- AS TO PLAINTIFF DAVID SWAIN

AS TO PLAINTIFF DAVID SWAIN

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Swain experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE -29- AS TO PLAINTIFF RON VALENTINE

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Swain experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3-6;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE -29- AS TO PLAINTIFF RON VALENTINE

3. What amount of emotional distress damages is Plaintiff Swain entitled to recover for his hostile work environment claim?

\$_____

4. Is Plaintiff Swain entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Swain’s hostile work environment claim:

\$_____

AS TO PLAINTIFF DAVID SWAIN (CONT.)

Count 2 — Constructive Discharge

6. Do you find by a preponderance of the evidence that Plaintiff Swain quit because of a hostile work environment that a reasonable person in his position would have felt was intolerable?

Yes _____ No _____

IF YOU ANSWERED “YES” TO QUESTION 6, MOVE ON TO QUESTIONS 7-11;

IF YOU ANSWERS “NO” TO QUESTION 6, MOVE ON TO PAGE -29- AS TO PLAINTIFF RON VALENTINE

7. What amount of emotional distress damages is Plaintiff Swain entitled to recover for his constructive discharge claim:

\$ _____

8. What amount of damages is Plaintiff Swain entitled to recover for past lost earnings:

\$ _____

9. What amount of damages is Plaintiff Swain entitled to recover for future lost earnings?

\$ _____

10. Is Plaintiff Swain entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for constructively discharging him?

Yes _____ No _____

11. If the answer to Question 10 is “Yes,” state the amount of money that is awarded in punitive damages:

\$ _____

MOVE ON TO PAGE - 29 - AS TO PLAINTIFF RON VALENTINE

AS TO PLAINTIFF RON VALENTINE

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Valentine experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE -30- AS TO RODERICK WADDELL, SR.

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Valentine experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE -30- AS TO RODERICK WADDELL, SR.

3. What amount of emotional distress damages is Plaintiff Valentine entitled to recover for his hostile work environment claim?

\$_____

4. Is Plaintiff Valentine entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Valentine’s hostile work environment claim:

\$_____

MOVE ON TO PAGE -30- AS TO RODERICK WADDELL, SR.

AS TO PLAINTIFF RODERICK WADDELL, SR.

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Waddell, Sr. experienced a hostile work environment because of his race?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, MOVE ON TO PAGE -31- AS TO PLAINTIFF BRANDON WALKER

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Waddell, Sr. experienced?

Yes_____ No_____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, MOVE ON TO PAGE -31- AS TO PLAINTIFF BRANDON WALKER

3. What amount of emotional distress damages is Plaintiff Waddell, Sr. entitled to recover for his hostile work environment claim?

\$_____

4. Is Plaintiff Waddell, Sr. entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes_____ No_____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Waddell, Sr.’s hostile work environment claim:

\$_____

MOVE ON TO PAGE -31- AS TO PLAINTIFF BRANDON WALKER

AS TO PLAINTIFF BRANDON WALKER

Count 1 – Hostile Work Environment

1. Do you find by a preponderance of the evidence that Plaintiff Walker experienced a hostile work environment because of his race?

Yes _____ No _____

IF YOU ANSWERED “YES” TO QUESTION 1, MOVE ON TO QUESTION 2;

IF YOU ANSWERED “NO” TO QUESTION 1, ENSURE YOU HAVE COMPLETED A VERDICT FORM FOR EACH OF THE PRECEEDING PLAINTIFFS

2. Is Defendant Newport News Industrial Corporation liable for the hostile work environment Plaintiff Walker experienced?

Yes _____ No _____

IF YOU ANSWERED “YES” TO QUESTION 2, MOVE ON TO QUESTIONS 3, 4 and 5;

IF YOU ANSWERED “NO” TO QUESTION 2, ENSURE YOU HAVE COMPLETED A VERDICT FORM FOR EACH OF THE PRECEEDING PLAINTIFFS

3. What amount of emotional distress damages is Plaintiff Walker entitled to recover for his hostile work environment claim?

\$ _____

4. Is Plaintiff Walker entitled to an award of punitive damages against Defendant Newport News Industrial Corporation for the hostile work environment?

Yes _____ No _____

5. If the answer to Question 4 is “Yes,” state the amount of money that is awarded in punitive damages on Plaintiff Walker’s hostile work environment claim:

\$ _____

ENSURE YOU HAVE COMPLETED A VERDICT FORM FOR EACH OF THE PRECEEDING PLAINTIFFS

After completing this form, the Foreperson should sign and date it, place it in an envelope and inform the Marshall that the jury has reached a verdict.

Date

Foreperson

Dated: August 12, 2021

By: /s/ James H. Shoemaker

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Admitted Pro Hac Vice

CERTIFICATE OF SERVICE

I hereby certify that on August 12, 2021, I will electronically file the foregoing Plaintiffs' Proposed Verdict Form with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to all counsel of record.

By: /s/ James H. Shoemaker, Jr.
Local Counsel

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